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Report of the Intergovernmental Group of Experts on Consumer Protection Law and Policy on its second session

Held at the Palais des Nations, Geneva, 3 and 4 July 2017

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I. Agreed conclusions

The Intergovernmental Group of Experts on Competition Law and Policy,

Recalling the resolution adopted by the Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices (Geneva, Switzerland, July 2015),[1]

Recalling General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: The 2030 Agenda for Sustainable Development",

Recalling further General Assembly resolution 70/186 of 22 December 2015, entitled "Consumer protection", containing the revised United Nations guidelines for consumer protection,

Recalling the provisions related to consumer protection issues adopted by the fourteenth session of the United Nations Conference on Trade and Development (Nairobi, July 2016), including the provisions in paragraph 76 (x) of the Nairobi Maafikiano,[2] which mandates UNCTAD to continue to assist developing countries and countries with economies in transition to formulate and implement competition and consumer protection policies and laws, including through voluntary peer reviews and the sharing of best practices; as well as facilitating international cooperation among competition and consumer protection agencies together with other relevant international organizations, taking into account the revised United Nations guidelines for consumer protection,

Recalling paragraph 69 of the Nairobi Maafikiano, which reaffirms that fair, sound and robust national competition and consumer protection laws and policies are also important, as is international cooperation, information exchange and capacity-building in these areas, particularly in light of the expansion of global markets, the increasing role of transnational companies, the need for enhanced transparency and accountability, the information and communications technology revolution and the emergence of electronic commerce (e-commerce),

Underlining that consumer protection law and policy is a key instrument for addressing unfair fraudulent and deceptive commercial practices in a globalized and interdependent world, including by enhancing the transparency and accountability of businesses, resource mobilization, the empowerment of consumers and poverty eradication and by promoting inclusive economic and social policies,

Recognizing that an effective enabling environment for consumer protection and development may include both national consumer policies and international cooperation and enforcement to deal with cross-border unfair, fraudulent and deceptive commercial practices,

Recognizing further the need to strengthen the work of UNCTAD on consumer protection law and policy so as to enhance its development role and benefits for consumers and businesses,

Noting the important written and oral contributions from consumer protection authorities and other participants that enriched the debate during its second session,

Taking note with appreciation the documentation prepared by the UNCTAD secretariat for its second session,

1. *Welcomes* the efforts of member States and other stakeholders in implementing the United Nations guidelines for consumer protection;

2. *Requests* the secretariat to provide practical recommendations to member States on the implementation of the guidelines, based on the information shared during the meeting;

3. *Encourages* interested member States to volunteer for a peer review on consumer

[1] TD/RBP/CONF.8/11

[2] TD/519/Add.2

protection law and policy, as implemented by their consumer protection authorities;

4. *Recognizes* the important role of relevant stakeholders, as appropriate, particularly with regard to the inclusive consumer protection policies to achieve the Sustainable Development Goals; welcomes the participation of consumer associations, civil society, business representatives and academia in the deliberations of the sessions of the Intergovernmental Group of Experts; and encourages Governments and stakeholders to present written papers and submissions in advance of the meetings of the Intergovernmental Group of Experts;

5. *Underlines* of the importance of designing and implementing specific measures aimed at the protection of vulnerable and disadvantaged consumers, recognizing that member States may adopt differing definitions to address specific domestic needs, and recognizes that further research is needed, in particular for this category of consumers in developing countries;

6. *Emphasizes* the importance of harnessing e-commerce to increase the welfare of consumers worldwide while limiting its potential risks; invites member States to continue their efforts in implementing international best practices in this area as contained in the United Nations guidelines for consumer protection; stresses the need to strengthen international cooperation, including informal collaboration, among agencies, to enhance consumer trust in e-commerce; and welcomes the initiatives taken by relevant organizations of the United Nations system and other international organizations and networks to build trust in the digital economy;

7. *Requests* the secretariat to further analyse the challenges faced by developing countries on consumer protection in e-commerce and recommend policy options for consumer protection agencies, in light of guidelines 63 to 65;

8. *Welcomes* the initiatives carried out by individual member States, UNCTAD and other organizations and networks in building capacity and strengthening institutions in the area of consumer protection, and calls upon all interested parties to work together and identify and strengthen synergies;

9. *Encourages* the continuation of the information-gathering process on the legal and institutional framework for consumer protection, including in particular the development of an UNCTAD world consumer protection map, and invites all member States to participate in its completion and update;

10. *Emphasizes* the importance of regional cooperation in the enforcement of consumer protection law and policy; invites consumer protection authorities to strengthen their bilateral, regional and international cooperation; and requests the UNCTAD secretariat to explore, gather and promote best practices for international cooperation, in light of guidelines 79 to 94;

11. *Decides* that the work programme of the Intergovernmental Group of Experts for 2017–2018 should further the exchange of experiences, particularly best practices; the collection and dissemination of information; the consideration of relevant studies, documentation and reports from relevant organizations; and the formulation of appropriate reports and recommendations on the issues discussed at the second session of the Intergovernmental Group of Experts;

12. *Requests* the UNCTAD secretariat to convene two working groups, one on e-commerce, within the scope that takes into account ongoing work at UNCTAD, and another on the protection of vulnerable and disadvantaged consumers to highlight best practices, to facilitate information exchange and consultations, and to continue the work from the second session, led and integrated by member States on a voluntary basis, without financial implications for the regular budget of the United Nations, and to report to the third session of the Intergovernmental Group of Experts;

13. *Requests* the UNCTAD secretariat, in accordance with guideline 97 (b), to prepare reports and studies, taking into account the input from member States and other relevant stakeholders, for the third session of the Intergovernmental Group of Experts on the following topics:

(a) Dispute resolution and redress;

(b) Consumer product safety;

14. *Requests* the UNCTAD secretariat to present, at the third session of the Intergovernmental Group of Experts, an updated review of capacity-building and technical assistance on consumer protection law and policy;

15. *Requests* the UNCTAD secretariat to continue to build a list of contact persons of consumer protection authorities to facilitate cooperation under the United Nations guidelines for consumer protection, in accordance with guideline 87;

16. *Invites* the Trade and Development Board to submit to the General Assembly a declaration on world consumer protection week to be held during the week in which 15 March falls;

17. *Notes with appreciation* the voluntary financial and other contributions received from member States; invites member States to continue to assist UNCTAD on a voluntary basis in its capacity-building and technical cooperation activities by providing experts, training facilities or financial resources; requests the UNCTAD secretariat to pursue capacity-building and technical cooperation activities, including training, and, where possible, to focus such activities on maximizing their impact in all interested countries; and encourages interested member States to continue their efforts in providing capacity-building and technical cooperation activities.

Closing plenary
4 July 2017

II. Chair's summary

A. Opening plenary

1. The second session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy was held at the Palais des Nations in Geneva, Switzerland, on 3 and 4 July 2017. Representatives from 78 countries and several intergovernmental organizations, including government ministers and heads of consumer protection authorities, attended the high-level discussions.

2. In his opening remarks, the Secretary-General of UNCTAD stated that in its second session, the Intergovernmental Group of Experts had continued to build institutional coherence around consumer protection laws worldwide. There were two major challenges: aligning existing initiatives to the 2030 Agenda for Sustainable Development and developing capacities to tackle the emerging challenges in consumer protection, such as the protection of vulnerable and disadvantaged consumers and online consumers. Noting the multiple regulations that hampered the development of the digital economy in developing countries, he suggested that UNCTAD should focus on improving national policies and practices that would unblock electronic trade and delivery, thereby building consumer trust in the digital economy. In doing so, UNCTAD should follow up on the work of the Group of 20 in the area of consumer protection to support the work of the current and incoming presidencies.

3. During the general debate, one delegate proposed to strengthen the global visibility of consumer protection by declaring a consumer protection week or day by means of a resolution of the General Assembly of the United Nations. Two delegates said that consumer product safety was important. In addition, there was a need for transnational policy coordination on how to deal with the dumping of hazardous products, particularly in developing countries. It was also necessary to set up a multidisciplinary expert group to

coordinate policy solutions to deal with products that became hazardous after certain manipulations such as malicious code injections, software updates, third-party applications and user modifications.

4. One delegate, speaking on behalf of a regional group, and one member State praised UNCTAD efforts to create capacity in addressing consumer protection global issues such as e-commerce, privacy data security and mobile payments, taking into account the specific conditions of developing countries, for example, the widening digital gap and limited financial resources for technology.

5. In the keynote speech, a representative of academia emphasized that the most efficient consumer protection systems – regulatory redress and consumer ombudsmen – were based on objective criteria such as access to justice, user-friendliness, speed, cost and outcomes. Mass litigation should be a last resort. There were underlying social and political issues relating to mechanisms that best affected consumer behaviour, performance and innovation whereby policymakers should be able to generate maximal individual involvement and performance data, while avoiding adversarial polarization arising from expensive and lengthy litigation processes. In light of these factors, policymakers might wish to adapt new technology to implement consumer ombudsman models and regulators with redress powers, as they would attract and process many individual consumer cases. They might also wish to recognize similar cases, and then process them collectively and consistently.

B. Report on national and regional implementation of the United Nations guidelines for consumer protection

(Agenda item 3 (a))

6. A panel discussion under this agenda item provided member States and stakeholders with an opportunity to present and share initiatives taken in connection with the implementation of the guidelines for consumer protection since their last revision (22 December 2015).

7. The panel was composed of the Minister of State for Consumer Affairs, Food and Public Distribution of India; the State Secretary for Consumer Protection of Germany; the President of the National Institute for the Defence of Competition and the Protection of Intellectual Property of Peru; and the Assistant Director for International Consumer Protection of the Federal Trade Commission of the United States of America.

8. The panellist from India presented the Prime Minister's vision that economic growth depended on consumer purchasing power and the recent institution of a domestic task force to implement the guidelines for consumer protection. Major statutory improvements had recently been made to address the welfare of 1.25 billion consumers in India. These included legislation on retail markets to improve the economic and educational empowerment of consumers and to protect real estate consumers. The growth of digital literacy in his country was remarkable because of the large and increasing number of Internet users. Efforts focusing on rural consumers constituted a priority in the work on consumer protection, in particular logistics and digital advertisements. Consumer organizations, which enjoyed an official status as advisers to the Government and received financing from the consumer welfare fund, played an important role as the voice of consumers.

9. The panellist from Germany commended UNCTAD for facilitating the work of implementing the guidelines and stated that consumer policy should be at the top of the policymaking agenda. Consumer policy was central to social and economic development, particularly to address the challenges posed by the digitalization of the economy. Security and safety were new issues relating to product liability and product safety in a society that was subject to more and more cyberattacks. The declaration of 7 April 2017 by the ministers of digital affairs of the Group of 20 called for the promotion of online consumer protection. The speaker discussed the importance of preparing a toolkit under the auspices of Consumers International, the Organization for Economic Cooperation and Development and UNCTAD.

10. The panellist from Peru reported on the implementation of three guidelines for consumer protection: national policies for consumer protection, dispute resolution and physical safety based on the recently adopted National Policy for Consumer Protection and the Consumer Protection Code. Consumer protection policies, laws, regulations and practices had strengthened four areas of consumer protection: education to consumers and providers nationwide, consumer safety and consumer alert systems to report on hazardous products, mechanisms for conflict prevention and resolution at the individual level, and mechanisms designed to strengthen the consumer system and monitor the market. Self-regulation and voluntary compliance were essential to reduce legal expenses and fines, reimburse legal costs and limit damages to a provider's reputation.

11. The panellist from the United States focused on the following areas of the guidelines for consumer protection: monitoring redress, good business practices and cooperation on cross-border enforcement and international technical assistance. In 2015–2016, monetary relief distributed to consumers accounted for $15 billion worth of courts awards and $160 million of consumer reimbursements. The speaker reported on formal and informal guidelines for businesses on self-regulation initiatives, model privacy schemes to implement various privacy statutes and compliance guidance for businesses catering to children. Cross-border cooperation enforcement (guidelines 82 and 90) to combat fraudulent trade practices was based on recommendations and guidelines from the Organization for Economic Cooperation and Development and the United States Safe Web Act of 2006 (now part of the Federal Trade Commission Act). The Federal Trade Commission, for example, had a robust and ambitious programme that provided technical assistance to 63 countries.

12. Several delegates shared their experience on the domestic implementation of the guidelines for consumer protection based on legal and social economic contexts. Developing self-regulation and voluntary compliance schemes, as well as promoting good business practices by providers and businesses, were areas that had received particular attention in their respective countries.

13. Two delegates praised the UNCTAD programme, Competition and Consumer Protection for Latin America, commonly known by its Spanish acronym COMPAL, for the support provided in the area of consumer protection and e-commerce.

14. The representative of a non-governmental organization suggested inviting other relevant stakeholders – businesses, labour unions and academia – to discuss global consumer protection issues and asked the Intergovernmental Group of Experts to address cross-border mechanisms, global consumer issues and global remedies.

15. A representative of academia said that a study had been carried out on how the guidelines for consumer protection had been implemented in five Latin American countries. Various means had been adopted to achieve the same aims of the guidelines, based on political will and participation of the courts.

C. Legal and institutional framework for consumer protection

(Agenda item 3 (b))

16. The secretariat outlined recent developments regarding legal and institutional frameworks for consumer protection. Pursuant to guideline 87, the secretariat had received from member States the official designations of consumer protection agencies as official contact points to facilitate cooperation. In addition, the project to draw up a world consumer protection map aimed to provide a public and easily accessible online tool to chart the state of consumer protection laws, institutions and policies at the global level. The project would inform further studies and research by UNCTAD on the issue.

D. The protection of vulnerable and disadvantaged consumers
(Agenda item 3 (c))

17. During a round-table discussion on the agenda item, panellists discussed the need to protect vulnerable and disadvantaged consumers as set out in the revised guidelines for consumer protection.[3] The panel was composed of the following experts: the Deputy Minister for Economy and Secretary for Trade of the Ministry of Economy of Portugal, the Chair of the Consumer Protection Agency of Egypt, the Director of Consumer Protection within the Competition and Consumer Protection Commission of Zambia and the Secretary-General of Consumer Unity and Trust Society.

18. The secretariat noted the differences between groups of consumers, such as children, the elderly, tourists, migrants and rural consumers, and how consumer vulnerability should be considered in terms of social, demographic, behavioural, personal and market environment factors. It was important to understand the essentially imbalanced relationship between consumers and businesses; such differences could be attributed to factors such as illiteracy, technical knowledge, age and economic status.

19. The panellist from Portugal stressed the importance of discussing the issue within the Intergovernmental Group of Experts. As financial education was an important tool to protect vulnerable consumers, the Government had developed a financial education plan that promoted financial education in schools and teacher-training programmes. To address the needs of vulnerable consumers, Governments must ensure that information, especially with regard to fees and contractual conditions, was clear and comparable. The advent of new tools and technologies brought new challenges, and it was necessary to build the trust of consumers and empower them fully in order to boost the economy. To this end, the implementation of the guidelines was key, and the Intergovernmental Group of Experts was an important forum for discussion. Portugal had issued guidance on the education and information of children, youth and the elderly, developed by its consumer protection agency in cooperation with other public bodies. The Portuguese complaints book, which was now electronically accessible, was a good practice worth sharing.

20. The panellist from Egypt explored the definition of a vulnerable consumer, explaining vulnerability as a difficulty in obtaining or understanding information. Consumers could become vulnerable by being placed in a situation that prevented them from making informed decisions. The consumer protection agency of his country had established a high-level committee on market regulation and consumer protection to help prevent such vulnerabilities. Other tools, such as the guidelines for consumer protection and the UNCTAD manual on consumer protection, were valuable resources.

21. The panellist from Zambia identified the conditions faced by especially vulnerable consumers in his country: high illiteracy levels and poor conditions in rural areas. He highlighted the importance of the recognition of vulnerable and disadvantaged consumers in the guidelines for consumer protection. He noted that Zambia had developed a number of tools to protect consumers: a survey tracker, the translation of information materials into the country's main dialects, provincial awareness tours, the use of popular social media to reach young consumers and the establishment of school clubs engaged in competition and consumer protection activities. Other initiatives included an itinerant awareness programme using special buses organized by the Zambian Commission and a toll-free line for consumers to file complaints with the consumer authority.

22. The representative of a non-governmental organization presented two cases to explain consumer vulnerability. One case dealt with bank loans for poor farmers. Since farming was not a profitable occupation, it was subject to recurrent abusive contractual conditions in India, which had been brought to the attention of the Supreme Court for violation of consumer vulnerability. Another was the Calcutta "oil tragedy of 1987", when the use of a toxic oil had resulted in the deaths of thousands of vulnerable consumers.

[3] UNCTAD, 2016, *United Nations Guidelines for Consumer Protection* (United Nations publication, New York and Geneva).

23. Several delegates, including the representatives of several member States, a consumer protection agency, a regional commission and a non-governmental organization, described the measures that had been taken in their jurisdictions to guarantee access to basic supply services such as water, electricity and energy. Consumers, in particular the vulnerable, should be informed about their rights and obligations. Anyone could become a vulnerable consumer at a given time due to lack of information, skills or technology or to their social status or financial situation. Education was key to promote the protection of children and young consumers, along with other vulnerable groups, while prevention was the optimal way to protect consumers.

E. Framework for voluntary peer reviews on consumer protection law and policy

(Agenda item 3 (d))

24. Introducing the agenda item, the secretariat presented the note entitled "Framework for voluntary peer reviews on consumer protection law and policy" (TD/B/C.I/CPLP/6), which would serve as the background for discussion.

25. The panel was composed of the following experts: the Assistant Director of the Consumer Protection Group of the Philippines, an international expert on consumer protection, a representative of academia (Nelson Mandela Metropolitan University, South Africa) and a representative of the Global Traders Conference.

26. One delegate volunteered to undertake a peer review on the consumer protection system in her country based on its legal and institutional frameworks.

27. In their recommendations to improve the framework for conducting voluntary peer reviews on consumer protection law and policy, most of the experts agreed that there was a need to streamline the review process, of which technical assistance was an important component. Such a process should include, but should not be limited to, the following points:

(a) How to select candidates for such a review;

(b) Consultations with relevant stake holders;

(c) Self-assessment in addition to the peer review;

(d) Post-peer review framework, including presentation of the results to stakeholders through awareness-raising events and a road map to implement the recommendations.

28. The panellist from the Philippines spoke on the Strategic Action Plan on Consumer Protection 2016–2025 of the Association of Southeast Asian Nations (ASEAN) calling for the establishment of a common framework for all (adoption of high-level principles through ASEAN peer review mechanisms), consumer empowerment, consumer confidence in cross-border transactions and consumer concerns as part of ASEAN integration schemes.

29. An international expert on consumer protection suggested that a double self-assessment phase would be a good starting point to establish the scope of the peer review. Selecting the most relevant sectors to be included in the review would make the scope more effective. He noted that peer reviews were not legally binding. Neither were they a pass-fail exercise applied to organizations, but rather an advice forum between colleague organizations and a two-way approach allowing both assessors and assessees to learn from the process.

30. A representative of academia said that UNCTAD might benefit from his experience with the African peer review mechanism, which had revealed a need to develop a shared baseline and agree on thematic issues, allowing, however, for a difference in methodological approaches for each country peer review. It was important to lay down the principles that would sustain the voluntary nature of the peer review process and its recommendations, and to respond to criticism with perseverance and transparency. Poor and vulnerable consumers should also be included in the process with a view to building

ownership of the process and ensuring credibility and sustainability of the results. She suggested that peer reviews should be included in the national planning cycle and integrated in the work of government. It was essential to sustain the momentum of the process and make sure that peer review countries were mobilized through the Intergovernmental Group of Experts to reflect findings and identify common policies. She recommended the establishment of a smaller reference group to achieve consistency in peer review implementation.

31. In a comparison of self-assessment and voluntary peer reviews, the representative of the Global Traders Conference said that the process could facilitate case-specific cooperation among different countries to narrow the gap between legal systems on the digital platform. Purely stand-alone self-assessments should be possible where peer reviews were not.

F. Consumer protection in electronic commerce

(Agenda item 3 (e))

32. Introducing the agenda item and the note entitled "Consumer protection in electronic commerce" (TD/B/C.I.CPLP/7), the secretariat described the most common challenges faced by consumers in e-commerce and outlined the provisions in the United Nations guidelines for consumer protection on e-commerce and existing regional and international cooperation frameworks.

33. The discussion was led by the Chair of the meeting and included the following experts: the Director General of the Directorate-General of Competition Policy, Consumer Affairs and Fraud Control of France; the Chief Executive of the Consumer Council of Hong Kong, China; the Counsel for International Consumer Protection of the Federal Trade Commission of the United States; the Minister of the Permanent Mission of Mexico to the United Nations in Geneva; the Senior Policy Analyst of the Organization for Economic Cooperation and Development; and the Director General of Consumers International.

34. The discussion focused on the challenges faced by online consumers and how to address them; the role of international organizations and networks in this area, particularly the Intergovernmental Group of Experts; and best practices in improving consumer protection in e-commerce.

35. There were many common consumer challenges in e-commerce: fraudulent practices, misleading advertising, information disclosure on goods and services, uncertainty over the identity and location of traders, unfair commercial practices, limited exercise of withdrawal rights, unsatisfactory dispute resolution, late delivery of goods, drip pricing, undisclosed additional charges, risk of misuse of personal data and unclear obligations of intermediary platforms. One speaker stressed the importance of access to information on the statute of traders (whether a peer provider or a business) because this determined the law applicable to a transaction. With regard to data protection, it would be advisable that consumers consent to the use of their personal data and be informed of their use, for example, consumer profiling and targeted advertising. Another challenge was the sale of hazardous products through online platforms. The United States cooperated with leading online platforms to ensure hazardous products were not made available through them. This issue required cooperation among consumer protection agencies on a global scale.

36. Consumer protection agencies also faced a host of challenges: fraud and deception, lack of legislation governing information disclosure, the impact of technological innovation and new business models on consumer choice and decision-making, adaptation of surveillance and investigation techniques to constantly evolving e-commerce and new modes of consumption, the development of investigative tools and techniques, and cross-border enforcement cooperation. Access and trust were the keys to making e-commerce work for consumers. The future success of e-commerce depended on improving access (about 50 per cent of consumers globally did not have access to the Internet) and consumer trust (49 per cent of those consumers did not shop online for lack of trust). Consumers needed to understand the value of their data and their rights on the Internet.

37. Some experts provided examples of measures taken in their jurisdictions to overcome the aforementioned challenges. Flexible legislation was another essential element in effective consumer law enforcement. In France, the legislation had been improved to require digital platforms to provide clear, fair and transparent information to consumers, particularly on the terms and conditions of use and search engine optimization.

38. The panellist from France noted that digital platforms were considered to be hosts of content under European Union law, although their business model was larger than that of a mere host of content. There was a need for appropriate regulation to match the responsibilities of digital platforms. One expert highlighted the importance of self-regulation as a good model for dealing effectively with consumer disputes.

39. In Mexico, the Federal Consumer Protection Commission sought to reach agreements with stakeholders involved in e-commerce and improve cooperation between government agencies and the private sector to tackle challenges faced in e-commerce. A successful instrument could be found in Concilianet, an online dispute resolution mechanism for dealing with consumer complaints. Some 95 per cent of complaints made through Concilianet had been satisfactorily resolved.

40. In the United States, the Federal Trade Commission had devoted substantial resources to learning about emerging issues and the impact of new technologies. In 2015, the Commission set up the Office of Technology Research and Investigation to keep abreast of technological developments, train staff and assist with technology-related investigations, reports, and public workshops. A recent example of a specific law aimed at enhancing consumer trust was the Consumer Review Fairness Act of 2016, which made it illegal for businesses to bar or restrict consumers from posting negative reviews online.

41. In the view of many experts, another area that required international attention was cross-border cooperation. The United States Safe Web Act of 2006 provided the Federal Trade Commission with stronger tools to engage in better enforcement cooperation on consumer protection matters such as spam, scareware, data security and cross-border fraud – including in e-commerce – with foreign law enforcement authorities.

42. One expert said there was a need for governments to adopt principles coupled with the development of voluntary codes, establishing flexible standards for dispute resolution programmes. The secretariat of the Organization for Economic Cooperation and Development presented the key novelties brought by its 2016 recommendation on e-commerce, comprising disclosures, payments, unsafe products, dispute resolution, enforcement and education. The recommendation now covered the provision of free services in exchange for data, as new non-monetary transactions. In this evolving technological market, the challenges to protect digital consumers that required international attention included the improvement of information disclosures in light of the behavioural research showing that the way in which how information was presented could have a dramatic effect.

43. Regarding the role that the Intergovernmental Group of Experts should play in protecting online consumers, some speakers stated that the body was well placed to promote broader cooperation, especially when engaging with online businesses, academia and civil society organizations to make the work on e-commerce more visible and better understood. Others drew attention to the need to ensure that hazardous products prohibited in one country were not distributed to other markets. One panellist drew attention to the role of the Intergovernmental Group of Experts as a unique international platform to reinforce cross-border enforcement cooperation and foster the exchange of information and best practices. All speakers agreed that cooperation was best to address consumer challenges in today's digital world. Most speakers supported the establishment of a working group on e-commerce under the auspices of the Intergovernmental Group of Experts. One delegate, supported by another, suggested that the working group compile best practices on consumer protection in e-commerce and disseminate them at future meetings of the Intergovernmental Group of Experts Another expert suggested that the working group should focus on online dispute settlement systems and stressed the importance of encouraging businesses engaged in e-commerce to set up internal dispute resolution systems. The representative of an international organization stated that the creation of the

Intergovernmental Group of Experts elevated consumer protection in the international agenda. Emphasizing the international nature of e-commerce, he encouraged the Intergovernmental Group of Experts to continue its work in that area.

44. Many delegates shared the view that consumer trust was essential to the growth of e-commerce, particularly cross-border e-commerce. Some delegates stated that vulnerable and disadvantaged consumers were subject to more challenges than other consumers. One delegate suggested that a global agreement on clear and fair information disclosure by business providers would be useful. Others said that infrastructure problems such as Internet connectivity hindered the growth of e-commerce.

G. UNCTAD capacity-building in consumer protection

(Agenda item 3 (f))

45. Introducing the agenda item, the secretariat presented the note entitled "Review of capacity-building in and technical assistance on competition law and policy" (TD/B/C.I/CPLP/8) and made video presentations of its ongoing capacity-building and technical cooperation programmes relating to consumer protection.

46. The panel was composed of the following experts: the President of Consumer Defence of El Salvador; the Acting Director of Quality and Market Surveillance of the Ministry for Industry, Trade, Investment and Digital Economy of Morocco; the Deputy Director General of the Trade Competition and Consumer Protection Authority of Ethiopia; a senior researcher from the Fair Trade Commission of the Republic of Korea; and the Principal Adviser of the German Agency for International Cooperation.

47. During the ensuing discussion, many delegates, including one of the panellists, highlighted the benefits of the UNCTAD Competition and Consumer Protection for Latin America programme, funded by the Government of Switzerland. Several participants underscored the important role that UNCTAD could play in raising awareness of the benefits of the programme. Two delegates requested additional technical cooperation support from UNCTAD, and others expressed appreciation for UNCTAD support to their countries through the programme, which had facilitated their capacity-building activities in the area of consumer protection.

48. The panellist from Morocco described the benefits derived from the implementation of the regional capacity-building programme for the Middle East and North Africa in his country. This programme had built the capacity of various stakeholders such as the media, academics and regulators. The Middle East and North Africa programme also provided a platform for the transfer of knowledge. For example, study visits made it possible to learn about best practices from leading countries and the main legal frameworks and how they were implemented.

49. The panellist from Ethiopia stated that UNCTAD had helped the competition authority to enhance its human capacity. Various activities based on an UNCTAD capacity-building programme funded by the Grand Duchy of Luxembourg had also been implemented: the completion of a review report; the designing of soft laws such as regulations and guidelines; and capacity-building for directors, judges and prosecutors.

50. The panellist from the Republic of Korea presented the consumer protection policy of his country and outlined the challenges facing the consumer protection authority. These included consumer education, limited international cooperation in the sharing of other countries' experiences and the need for systematization and quality improvement of consumer education contents. Emerging technologies, such as drones, three-dimensional printing, artificial intelligence and self-driving cars had a high potential for causing consumer safety accidents.

51. The expert from the German Agency for International Cooperation said that the development agency was present in many ASEAN member countries. The agency worked on behalf of the Government of Germany to strengthen the development and implementation of consumer policy. In this connection, the ASEAN Committee for Consumer Protection had provided guidance and consumer empowerment tools and had

facilitated several key initiatives. The agency provided support in several areas, such as institutional strengthening and inter-agency cooperation, consumer education and empowerment, complaints handling and redress. Upcoming projects would focus on regional cooperation and dialogue on cross-border issues as well as substantive issues.

H. Closing plenary

52. The last session of the meeting was devoted to a broad discussion of the draft agreed conclusions and the proposal by the delegate from Argentina concerning a draft resolution on a declaration on world consumer protection week for the consideration of the General Assembly. All experts agreed on the need to advance consumer interests in the international political agenda and recognized the significant contribution that such a declaration could entail. The proposal was endorsed by a majority of the delegations, with some experts stating a preference for the term "consumer rights" rather than "consumer protection". There was unanimous agreement on the need to pursue consultations in preparation for the sixty-fourth session of the Trade and Development Board, in view of submitting a consensus draft resolution for consideration by the General Assembly as soon as possible.

53. As a contribution to the work of the Intergovernmental Group of Experts, one expert volunteered to provide an easily accessible online repository of case law, documents and other relevant tools to increase knowledge-sharing among experts.

III. Organizational matters

A. Election of officers
(Agenda item 1)

54. At its opening plenary session, on 3 July 2017, the Intergovernmental Group of Experts elected Ms. Geannina Dinarte Romero (Costa Rica) as its Chair and Ms. Alia Abbas (Lebanon) as its Vice-Chair-cum-Rapporteur.

B. Adoption of the agenda and organization of work
(Agenda item 2)

55. Also at its opening plenary, the Intergovernmental Group of Experts adopted the provisional agenda contained in document TD/B/C.I/CPLP/5, as follows:

1. Election of officers;
2. Adoption of the agenda and organization of work;
3. (a) Report on national and regional implementation of the United Nations guidelines for consumer protection;

   (b) Legal and institutional framework for consumer protection;

   (c) The protection of vulnerable and disadvantaged consumers;

   (d) Framework for voluntary peer reviews on consumer protection law and policy;

   (e) Consumer protection in electronic commerce;

   (f) UNCTAD capacity-building in consumer protection;
4. Provisional agenda for the third session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy;
5. Adoption of the report of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.

C. Provisional agenda for the third session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy

(Agenda item 4)

56. At its closing plenary, on 4 July 2017, the Intergovernmental Group of Experts approved the provisional agenda for its third session (annex I).

D. Adoption of the report of the Intergovernmental Group of Experts on Consumer Protection Law and Policy

(Agenda item 5)

57. Also at its closing plenary, the Intergovernmental Group of Experts authorized the Vice-Chair-cum-Rapporteur to finalize the report after the conclusion of the session.

Annex I

Provisional agenda for the third session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy

1. Election of officers

2. Adoption of the agenda and organization of work

3. Report on the working groups on e-commerce and the protection of vulnerable and disadvantaged consumers

4. Dispute resolution and redress

5. Consumer product safety

6. Report of the implementation of the United Nations guidelines for consumer protection by member States and relevant stakeholders

7. Latest developments in legal and institutional frameworks

8. Voluntary Peer Review on Consumer Protection Law and Policy of Morocco

9. Review of capacity-building and technical assistance

10. Provisional agenda for the fourth session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy

11. Adoption of the report of the third session of the Intergovernmental Group of Experts on Consumer Protection Law and Policy.

Annex II

Attendance*

1. Representatives of the following States members of UNCTAD attended the session:

Algeria
Argentina
Australia
Bahamas
Belarus
Benin
Bolivia (Plurinational State of)
Botswana
Brazil
Burkina Faso
Cameroon
China
Colombia
Congo
Costa Rica
Côte d'Ivoire
Djibouti
Dominican Republic
Ecuador
Egypt
El Salvador
Ethiopia
France
Gabon
Georgia
Germany
Guatemala
Haiti
India
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Italy
Jordan
Kazakhstan
Kenya
Kuwait
Lao People's Democratic Republic
Latvia
Lebanon
Lesotho
Malawi
Malaysia
Mexico
Morocco
Namibia
Nepal
Oman
Panama
Peru
Philippines
Portugal
Republic of Korea
Russian Federation
Saudi Arabia
Seychelles
South Africa
Spain
Swaziland
Sweden
Switzerland
Tunisia
Turkey
United Republic of Tanzania
United States of America
Viet Nam
Zambia

2. The following non-member observer State was represented at the session:

State of Palestine

3. The following intergovernmental organizations were represented at the session:

African, Caribbean and Pacific Group of States
Common Market for Eastern and Southern Africa
Economic Community of West African States
Eurasian Economic Commission
European Union
League of Arab States
Organization for Economic Cooperation and Development
West African Economic and Monetary Union

4. The following non-governmental organizations were represented at the session:

* This list contains registered participants. For the final list of participants, see TD/B/C.I/CPLP/INF.2.

General category

Consumer Unity and Trust Society
Consumers International
Global Traders Conference
International Chamber of Commerce
International Organization for Standardization

Other

Federaçao Brasileira de Bancos
Hong Kong [China] Consumer Council
Instituto Brasileiro de Política e Direito do Consumidor
Mumbai Grahak Panchayat